APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,922	07/25/2001	Edward W. Kettler III	93-01-002	7343

7590 08/25/2005	**EXAMINER**
David G. Wille, Esq.	COLON, CATHERINE M
Baker Botts L.L.P.	

ART UNIT	PAPER NUMBER
3623	

Suite 600
2001 Ross Avenue
Dallas, TX 75201-2980

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/915,922	KETTLER ET AL.
	Examiner	Art Unit	
	C. Michelle Colon	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>31 May 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>7/20/05</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 08192005

DETAILED ACTION

1.   The following is a Final Office Action in response to the communication received

on May 31, 2005. Claims 1, 9, 14, 15, 22 and 25 have been amended. Claims 1-25 are

now pending in this application.

Response to Amendment

2.   Applicant's amendments to claims 1, 9, 14, 15, 22 and 25 are acknowledged.

The amendment to claim 14 is sufficient to overcome the 35 U.S.C. 112, second

paragraph rejection. Therefore, the 35 U.S.C. 112, second paragraph rejection of claim

14 is withdrawn. Likewise, the amendments to claim 1 are sufficient to overcome the 35

U.S.C. 101 technological arts rejection set forth in the previous Office Action.

Therefore, the 35 U.S.C. 101 technological arts rejection is withdrawn.

Response to Arguments

3.   Applicant's arguments have been fully considered, but are found unpersuasive.

In the Remarks, Applicant argues that Snavely does not disclose "structural data."

        In response to the argument, Examiner respectfully disagrees. According to

page 8 of the Specification, "structural data" is defined as data concerning the structure

of an enterprise with which each ERP system is associated. On page 8 there is also an

example of "structural data" that relates to a third-party contract with an enterprise,

where the examples include customer name and information concerning the cost and

profit centers associated with the contract. Snavely discloses an interface through

which customers submit procurement requests, where the data associated with the

procurement requests is sent to ERP systems (col. 6, lines 60-64; item 382 in Figure 3).

The data associated with the procurement requests includes requestor name, company,

department, requisition items, etc (Figure 5). Thus, the procurement request data is

"structural data." Additionally, the ERP systems maintain the accounts relating to the

procurement requests and send and receive such account data to the procurement

requestor, where the account data is also "structural data" (col. 10, lines 34-53; Figures

7 and 9; account information, commodity data, commodity group within company, etc.).

Therefore, Examiner respectfully submits that Snavely does disclose "structural data."

In conclusion, Applicant's arguments have been fully considered, but are found

unpersuasive. The rejections to claims 1-25 have been updated based on the

amendments and are provided below.

Information Disclosure Statement

4.   The examiner has reviewed the publications supplied in the Information

Disclosure Statement (IDS) provided on July 20, 2005.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

6.   Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Snavely et

al. (U.S. 6,772,167).

As per claim 1, Snavely et al. discloses a computer-implemented method for

achieving data consistency an enterprise resource planning system, the method

performed using one or more computer systems each comprising one or more memory

units and one or more processing units, the method comprising:

receiving a first set of structural data (col. 6, lines 1-14 and 56-65; Figure 5; The

system receives requests from users through a client browser. The request includes

receiving structural data from the user to initiate some type of action, such as

procurement requisitions, etc.);

sending the first set of structural data to two or more enterprise resource

planning systems (col. 6, lines 10-14 and 60-64; Figure 1; item 382 in Figure 3; The

user procurement request (i.e., structural data) is sent to the application server, which in

turn, sends the data to the back-end servers, which include ERP (SAP) systems.);

wherein at least two of the enterprise resource planning systems are associated

with a single business or related group of businesses (col. 6, lines 41-47; item 382 in

Figure 3; The servers are associated with enterprise resource planning systems such as

accounting applications with an accounts payable business function.);

wherein the first set of structural data comprises one or more of the following:

data concerning the structure of the single business or the related group of

businesses with which each of the at least two enterprise resource planning systems is

associated, and data concerning a relationship of the single business or the related

group of businesses to one or more third parties (col. 10, lines 34-53; Figures 5, 7 and

9; The data associated with the procurement requests includes requestor name,

company, department, requisition items, etc. The ERP systems maintain the accounts

relating to the procurement requests and send and receive such account data to the

procurement requestor, where the account data is also "structural data" (i.e., account

information, commodity data, commodity group within company).);

wherein each of the at least two enterprise resource planning systems maintains

its own structural data (col. 7, lines 59-63; col. 9, lines 10-16 and 56-67; col. 10, lines

34-36; Figures 7 and 9; The ERP systems maintain their own structural data within

databases and send and receive data from the procurement requestor as needed.); and

wherein the sending of the first set of structural data is operable to cause each of

the enterprise resource planning systems to create or change their own structural data

(col. 5, lines 64-67; col. 6, lines 7-14; Data is replicated back and forth among the

servers so that it is kept consistent.).

As per claim 2, Snavely et al. discloses the method of Claim 1, wherein the first

set of structural data comprises structural data for a first contract wherein at least some

transactions under the contract will be handled through a first profit center (col. 7, lines

29-37; col. 16, lines 63-67; The application server connects users to contract related

information such as invoices paid (i.e., profit centers) and cost centers.).

As per claim 3, Snavely et al. discloses the method of Claim 1, wherein the first set of structural data comprises structural data for a first cost center associated with a first profit center (col. 7, lines 29-37; col. 16, lines 63-67; The application server connects users to contract related information such as invoices paid (i.e., profit centers) and cost centers.).

As per claim 4, Snavely et al. discloses the method of Claim 1, wherein the first set of structural data comprises structural data for a first profit center (col. 7, lines 29-37; col. 16, lines 63-67; The application server connects users to contract related information such as invoices paid (i.e., profit centers) and cost centers.).

As per claim 5, Snavely et al. discloses the method of Claim 1, wherein the first set of structural data comprises data associated with the addition of a new contract to the at least two enterprise resource planning systems (col. 16, lines 43-49 and 60-67; The system allows authorized users to update contract information.).

As per claim 6, Snavely et al. discloses the method of Claim 1, wherein the first set of structural data comprises data associated changing of the structural data for a first contract for use in the at least two enterprise resource planning systems (col. 16, lines 43-49 and 60-67; The system allows authorized users to update contract information.).

As per claim 7, Snavely et al. discloses the method Claim 1, wherein first set of structural data comprises data associated with one of the following selected from the group consisting of:

the addition of a first profit center to the at least two enterprise resource planning

systems (col. 9, lines 56-67; Figures 7-9; Users can create and update a commodity list,

which includes expense, capital and resale accounts of commodities for sale (i.e., profit

center).);

the changing of the structural data for a first profit center for use in the at least

two enterprise resource planning systems (col. 9, lines 56-67; Figures 7-9; Users can

create and update a commodity list, which includes expense, capital and resale

accounts of commodities for sale (i.e., profit center).);

the addition of a new cost center to the at least two enterprise resource planning

systems (col. 7, lines 29-37; col. 16, lines 60-67; Users can add and update cost center

data.); and

the changing of the structural data for a cost center for use in the at least two

enterprise resource planning systems (col. 7, lines 29-37; col. 16, lines 60-67; Users

can add and update cost center data.).

As per claim 8, Snavely et al. discloses the method Claim 2, wherein the

structural data for the first contract further comprises data identifying the location of the

first profit center in a plurality of hierarchies (col. 9, lines 56-67; col. 10, lines 54-67;

Figures 7-9; Commodity data can be identified in a hierarchy of families.).

As per claim 9, Snavely et al. discloses the method Claim 2, wherein:

the structural data for the first contract further comprises data identifying the

location of the first profit center in at least one hierarchy (col. 9, lines 56-67; col. 10,

lines 54-67; Figures 7-9; Commodity data can be identified in a hierarchy of families.);

and

the creation or changing structural data for the first contract causes an automatic

update to the at least one hierarchy in the at least two enterprise resource planning

systems (col. 16, lines 56-67; Contract profiles are updated when commodity data is

changed (i.e., catalogs, purchase orders, etc.).).

As per claim 10, Snavely et al. discloses the method of Claim 9, wherein the

creation or changing of the structural data for the first contract causes an automatic

update to structural data associated with the first profit center and a first cost center

associated with the first contract in the at least two enterprise resource planning

systems (col. 10, lines 42-53; col. 16, lines 43-49 and 60-67; Contract profiles are

associated with profit center and cost center data. Thus contracts are updated when

profit and cost center data are altered.).

As per claim 11, Snavely et al. discloses the method of Claim 1, wherein the

sending of the first structural data occurs nearly immediately after the first set of

structural data was received where such first set of structural data comprises valid data

(col. 6, lines 1-13; col. 8, line 66-col. 9, line 16; Figure 1; The user request (i.e.,

structural data) is distributed to servers in the server cluster as needed. The system

further includes several validation routines to ensure valid data.).

As per claim 12, Snavely et al. discloses the method of Claim 1, wherein the

sending of the first set of structural data occurs some time interval after the first set of

structural data was received in accordance with a periodic update schedule (col. 5, lines 64-67; The data is replicated periodically throughout the servers.).

As per claim 13, Snavely et al. discloses the method of Claim 1, further comprising: sending the first set structural data to a general ledger system and a data warehousing system (col. 9, lines 10-16; col. 10, lines 30-67; The structural data input by a user connects to a general ledger system to access the appropriate account. The general ledger system is further connected to an ERP system, which is connected to various database systems.).

As per claim 14, Snavely et al. discloses the method of Claim 1, wherein:

the at least two enterprise resource planning systems comprise SAP enterprise resource planning systems (col. 6, lines 10-11, 41-47 and 60-62); and

the first set of structural data is sent to the at least two enterprise resource planning systems using an application link enabling facility supplied by SAP (col. 6, lines 7-14; Data is replicated using a bridge application.).

Claims 15-25 recite substantially similar subject matter as claims 1-14 above. Therefore, claims 15-25 are rejected on the same basis as claims 1-14 above.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to C. Michelle Colon whose telephone number is 571-272-

6727. The examiner can normally be reached Monday – Friday from 8:30am to

5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

or faxed to:

703-872-9306   [Official Communications; including After Final

communications labeled "Box AF"]

571-273-6727   [For status inquiries, draft communication, labeled

"Proposed" or "Draft"]

Hand delivered responses should be brought to:

United States Patent and Trademark Office

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401 Dulany Street

Alexandria, VA 22314

Susanna Diaz
SUSANNA M. DIAZ
PRIMARY EXAMINER
AU 3623

cmc
August 19, 2005